

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

| | | |
|--------------------------|---|-------------------------------|
| EUKOR CAR CARRIERS INC., |) | |
| |) | |
| Plaintiff(s), |) | No. C10-0408 BZ |
| |) | |
| v. |) | |
| |) | ORDER FOR SUPPLEMENTAL |
| CHEMOIL CORPORATION, |) | BRIEFING |
| |) | |
| Defendant(s). |) | |
| |) | |
| _____ |) | |

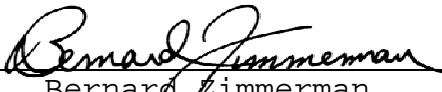
By Thursday, April 8, 2010, Eukor shall file a supplemental brief limited to 5 pages addressing only the following two issues:

1. The relationship between Eukor and Wilhelmsen including an explanation for why Eukor appears on Wilhelmsen's website as averred by Mr. Tolson.

2. Eukor's standing to bring this action if the Court concludes that it is not a party to the contract between Wilhelmsen and Chemoil, as Eukor asserts, given the rule established in Robins Dry Dock & Repair Co. v. Flint, 275 U.S. at 309, 48 S.Ct. 134 (citations omitted) and recently affirmed

by the Ninth Circuit in Nautilus Marine, Inc. v. Niemela, 170
F.3d 1195, 1196 (9th Cir. 1999).

Dated: April 5, 2010



Bernard Zimmerman
United States Magistrate Judge

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